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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,104	01/20/2004	Takashi Ono	02410288US	6952
7055	7590	04/08/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			KRAMER, DEVON C	
			ART UNIT	PAPER NUMBER

3683

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/759,104

Applicant(s)

ONO, TAKASHI

Examiner

Devon C Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/20/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

- 1) Applicant's election without traverse of species 1 in the reply filed on 2/10/05 is acknowledged.

Claim Objections

- 2) Claims 4-8 are objected to because of the following informalities:

Claim 4 lacks dependency;

Claim 5 line 2, "the disc radial direction inner side face" should be --a disc radial direction inner side face--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

- 3) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 4) Claims 1, 4 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al (5947233).

In re claim 1, Kobayashi et al provides a disc brake for a vehicle comprising: a caliper bracket (2) fixed to a vehicle body; a pair of caliper support arms (3) striding an outer periphery of a disc rotor (1) in a disc axial direction, pad guide grooves (3B)

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formed in the caliper support arms so as to be opposed to each other (figure 1); friction pads (8) disposed on both sides of the disc rotor, the friction pads having ears (9A) projected from both side portions of a back plate thereof, and pad retainers (11, 12) disposed on the pad guide grooves, the ears of the friction pads being movably supported by the pad guide grooves via the pad retainers; wherein pad retainers each has pad returning portions for urging the friction pads away from the disc rotor.

(Abstract)

In re claim 4, the grooves of Kobayashi et al can be considered to be formed by bracket-shaped grooves.

In re claim 9, see figure 4.

5) Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 56-129624.

IN re claim 1, the reference provides a disc brake for a vehicle comprising: a caliper bracket (16) fixed to a vehicle body; a pair of caliper support arms (4) striding an outer periphery of a disc rotor (2) in a disc axial direction, pad guide grooves formed in the caliper support arms so as to be opposed to each other; friction pads (8) disposed on both sides of the disc rotor, the friction pads having ears (8c) projected from both side portions of a back plate thereof, and pad retainers (101) disposed on the pad guide grooves, the ears of the friction pads being movably supported by the pad guide grooves via the pad retainers; wherein pad retainers each has pad returning portions for

urging the friction pads away from the disc rotor. Please note that the members 101 of the reference will provide a bias force away from the disc.

In re claims 2-3 and 5-8, see element 103 and the end of 101. Please note that element 101 can be considered to have some curvature.

In re claim 4, the grooves in the reference can be considered to be formed by bracket-shaped grooves.

In re claims 9-10, note that the retainer holds the pad in place, the loop portion contribute to this function.

Conclusion

6) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ikegami et al, Fujiwara, Tsuruta et al, Tsuruta, and Kobayashi ('817, '417) all provide pad retainers with similar features to the instant application.

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C Kramer whose telephone number is 703-305-0839. The examiner can normally be reached on Mon-Fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Devon C Kramer
Examiner
Art Unit 3683

DK

DEVON C. KRAMER
PATENT EXAMINER

Devon Kramer
4/4/05